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ACTION SCT-03

INFO	LOG-00	ACDA-17	ACDE-00	AID-01	ARA-01	A-01	CA-02
	CCO-00	CG-00	CIAE-00	COME-00	CTME-00	OASY-00	DODE-00
	DOEE-00	DOTE-00	DS-00	EB-01	FAAE-00	FBIE-00	IMMC-01
	TEDE-00	INR-00	INSE-00	JUSE-00	L-01	ADS-00	M-00
	NRCE-00	NSAE-00	NSCE-00	OIS-01	PA-02	PM-00	PRS-01
	P-01	SSO-00	SS-00	TRSE-00	USIE-00	USSS-00	ASDS-01
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P 012039Z DEC 94
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC PRIORITY 3252
INFO AMEMBASSY BRASILIA
USCINCSO QUARRY HEIGHTS PM
AMEMBASSY SANTIAGO
AMEMBASSY MONTEVIDEO
AMEMBASSY ASUNCION

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E.O. 12356: N/A
TAGS: PTER, AR
SUBJECT: ANNUAL TERRORISM REPORT SUBMISSION

REF: STATE 286744

FOLLOWING IS POST'S RESPONSE TO REFTTEL QUERIES.

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A) PROSECUTIONS

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ONE OF THE MAJOR ACTS OF INTERNATIONAL TERRORISM IN 1994 TOOK PLACE IN BUENOS AIRES. ON JULY 18 A BOMB EXPLOSION DESTROYED THE JEWISH MUTUAL ASSOCIATION (AMIA) HEADQUARTERS. THE ATTACK KILLED AT LEAST 83 PEOPLE; REMAINS OF SOME VICTIMS COULD NOT BE IDENTIFIED. IN CONJUNCTION WITH A MASSIVE RESCUE EFFORT, THE ARGENTINE GOVERNMENT DEDICATED SUBSTANTIAL POLICE RESOURCES TO INVESTIGATE THE BOMBING. THE USG PROVIDED SPECIALIZED PERSONNEL AND TECHNICAL ASSISTANCE TO SPEED THE PROCESS OF IDENTIFICATION AND TO PRESS THE SEARCH FOR ANY INFORMATION THAT COULD LEAD TO THE PERPETRATORS OF THE BOMBING. ISRAELI GOVERNMENT EXPERTS WERE ON THE SCENE SHORTLY AFTER THE EXPLOSION AND COOPERATED CLOSELY WITH ARGENTINE AUTHORITIES.

IN EARLY AUGUST THE FEDERAL JUDGE INVESTIGATING THE JULY 18 BOMBING IDENTIFIED SEVEN IRANIANS AS SUSPECTS IN THE CASE. HE ISSUED ARREST WARRANTS FOR FOUR IRANIAN DIPLOMATS FORMERLY ASSIGNED TO ARGENTINA AND CITED THREE (THEN) ACCREDITED IRANIANS AS SUSPECTS. THE JUDGE BASED HIS SUSPICIONS ON THE TESTIMONY OF AN IRANIAN EXILE, MONZAR MOATAMER. THE ARGENTINE SUPREME COURT, HOWEVER, SOON RULED THAT THERE WAS INSUFFICIENT EVIDENCE AGAINST THE SUSPECTS AND SENT THE CASE BACK TO THE JUDGE FOR ADDITIONAL INVESTIGATION. THE CASE IS STILL UNDER INVESTIGATION BY THE SPECIAL

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PROSECUTING JUDGE WORKING WITH U.S., ISRAELI, AND
OTHER AUTHORITIES.

B) EXTRADITIONS

IN 1994 THE GOA HAS NOT SOUGHT THE EXTRADITION OF ANYONE IN CONNECTION WITH A TERRORIST CASE. NOR HAS ANY GOVERNMENT ASKED THAT THE GOA EXTRADITE ANY

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C) IMPEDIMENTS

ARGENTINE POLICE SERVICES ARE DECENTRALIZED AND FRAGMENTED. THE FEDERAL POLICE HAVE JURISDICTION IN THE CITY OF BUENOS AIRES, SERVING AS THE LOCAL POLICE AND FIRE DEPARTMENT IN THE FEDERAL DISTRICT. THE NATIONAL GENDARMERIA IS RESPONSIBLE FOR GUARDING THE NATION'S BORDERS AND RURAL AREAS. THERE IS ALSO A SEPARATE IMMIGRATION SERVICE WHICH REPORTS TO THE MINISTRY OF THE INTERIOR. AIRPORTS ARE THE RESPONSIBILITY OF THE AIR FORCE MILITARY POLICE, ALTHOUGH ENTRIES AND EXITS ARE THE RESPONSIBILITY OF THE CUSTOMS POLICE. PROVINCES HAVE THEIR OWN POLICE DEPARTMENTS.

ARGENTINA'S LEGAL SYSTEM IS BURDENED BY A MASSIVE BACKLOG OF CASES AND RULES OF CRIMINAL PROCEDURE THAT
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SLOW, AND OFTEN STYMIE, ANY COMPLEX INVESTIGATION. CURRENT RULES OF EVIDENCE ARE AMONG THE MOST RESTRICTIVE OF ANY IN THE WORLD AND ARE A PARTICULAR HINDRANCE IN ANY INVESTIGATION OF CONSPIRACIES AND MORE COMPLEX CRIMES. THE POLICE CANNOT OBTAIN ADMISSIBLE EVIDENCE BY PENETRATING CRIMINAL ORGANIZATIONS THROUGH THE USE OF UNDERCOVER AGENTS. NOR CAN PROSECUTORS COME TO TERMS WITH ONE CONSPIRATOR TO TESTIFY AGAINST ACCOMPLICES. THE GOA IS AWARE OF THE JUSTICE SYSTEM'S BUILT-IN INEFFICIENCIES AND IS MAKING AN EFFORT TO INTRODUCE REFORMS. LEGISLATION IS PENDING TO ALLOW THE POLICE TO USE INFORMANTS AND PROSECUTORS TO MAKE PLEA BARGAINS. IN ADDITION, THE GOVERNMENT HAS INTRODUCED AN ANTI-TERRORISM BILL IN RESPONSE TO THE AMIA BOMBING. THE MEASURE WOULD PROVIDE FOR STIFF SENTENCES FOR CRIMINAL ACTS COMMITTED WITH "POLITICAL, RACIAL, OR RELIGIOUS" MOTIVES.

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D) RESPONSES OTHER THAN PROSECUTION

THE ARGENTINE GOVERNMENT HAS BEEN OUTSPOKEN IN ITS
DENUNCIATION OF TERRORISM AND ITS PERPETRATORS.

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PRESIDENT MENEM, FORE
IGN MINISTER DI TELLA, AND OTHER
LEADING GOVERNMENT MEMBERS HAVE ON NUMEROUS OCCASIONS
MADE CLEAR THEIR GOVERNMENT'S STAND IN ABSOLUTE
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OPPOSITION TO THE USE OF TERRORISM. IN ADDITION, THE
ARGENTINE GOVERNMENT HAS PROPOSED THE START OF NEW
FORMS OF REGIONAL COOPERATION AGAINST TERRORISM. WITH
US SUPPORT THIS INITIATIVE WAS ALSO REFLECTED IN THE
OFFICIAL DOCUMENTS PREPARED FOR THE SUMMIT OF THE
AMERICAS.

E) MAJOR COUNTERTERRORISM EFFORTS

THE GOA HAS BEEN A STRONG SUPPORTER OF MULTILATERAL
COUNTERTERRORISM EFFORTS. PRESIDENT MENEM HAS
ADVOCATED ALTERING THE VIENNA CONVENTION TO LIMIT THE
ABILITY OF TERRORISTS FROM USING DIPLOMATIC COVER TO
SHIELD THEMSELVES FROM PROSECUTION.

F) HOST GOVERNMENT SUPPORT FOR TERRORISM

NONE.

G) SUPPORT FOR TERRORIST-SUPPORTING COUNTRIES

NONE.

H) CHANGE IN GOVERNMENT'S ATTITUDE TOWARD TERRORISM

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THE GOVERNMENT MAINTAINED THE ATTITUDE DESCRIBED IN
PARAGRAPH D. AS A RESULT OF THE JULY AMIA BOMBING,
HOWEVER, THERE WAS A HEIGHTENED AWARENESS OF THE
COUNTRY'S VULNERABILITY TO TERRORISTS AND A RENEWED
DESIRE TO WORK CLOSELY WITH OTHER GOVERNMENTS TO
COUNTER THIS TERRORIST THREAT. ARGENTINE AUTHORITIES
ARE WORKING CLOSELY WITH US CIVIL AVIATION AUTHORITIES
TO IMPLEMENT SPECIAL AIRPORT SECURITY MEASURES IN THE
WAKE OF THE AMIA BOMBING AND EVIDENCE OF INCREASED
ORGANIZED TERRORIST ACTIVITY IN THE REGION .
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